

Chapter 15
Planned Districts

Article 16: Old Town San Diego Planned District

(“Old Town San Diego Planned District” added 3-27-2007 by O-19586 N.S.; effective 4-26-2007.)

Division 3: Zoning and Subdistricts

(“Zoning and Subdistricts” added 3-27-2007 by O-19586 N.S.; effective 4-26-2007.)

§1516.0301 Permitted Uses

It is the purpose of this section to specify certain groupings of uses to be encouraged or emphasized based on each subareas physical, historical, and functional conditions.

- (a) In the following subareas, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:
 - (1) Single Family. One single-family residence for each lot at a density of one dwelling unit per 5,000 square feet, provided there is no more than one dwelling unit per lot.
 - (2) Multi-family. Dwelling units at a density of one dwelling unit per 1,750 square feet of net lot area.
 - (3) Core.
 - (A) The following uses are permitted provided the ground floor area of any one establishment does not exceed 6,000 square feet:
 - (i) Antique shops
 - (ii) Art stores, art galleries and incidental art studios
 - (iii) Barber and beauty shops
 - (iv) Banks (drive-in or drive-thru prohibited)
 - (v) Bicycle shops with incidental repair permitted
 - (vi) Confectionary and bake shops
 - (vii) Clothing stores, dress shops and haberdasheries

- (viii) Custom shops for curtains, draperies, floor covering and upholstery
- (ix) Drug stores
- (x) Dry cleaning and laundry services
- (xi) Florists (incidental outdoor display permitted)
- (xii) Food market (incidental outdoor display permitted)
- (xiii) General and variety stores and gift shops
- (xiv) Handicraft shops, including woodcraft, leathercraft and metalcraft
- (xv) Hardware stores
- (xvi) Home furnishing shops and interior design studios
- (xvii) Import shops
- (xviii) Jewelry stores
- (xix) Liquor stores
- (xx) Locksmith
- (xxi) Museums
- (xxii) Music stores
- (xxiii) Pet shops
- (xxiv) Photographic studios and shops and picture frame shops
- (xxv) Restaurants, sidewalk cafes, bars, coffee houses, ice cream parlors and snack bars (incidental outdoor seating and live entertainment are permitted, drive-in or drive-through establishments are prohibited)
- (xxvi) Shoe sales and repair shops
- (xxvii) Sporting good stores

(xxviii) Stationers book stores (excluding adult book stores), newspaper and magazine shops

(xxix) Tailors and dressmakers

(xxx) Theaters -- (excluding adult entertainment)

(xxxi) Tobacco shops

(xxxii) Travel agencies, ticket agencies, and telegraph offices

(xxxiii) Wineries

(B) The following uses are permitted provided that they do not occupy ground floor frontage and are located above or behind a permitted use designated in Section 1516.0301(c).

(i) Dwelling units at a density of 1 unit per 1,750 square feet of net lot area

(ii) Boarding and lodging houses provided that there are not more than two lodgers per dwelling unit

(iii) Offices, provided each establishment does not exceed 2,000 square feet in size

(iv) Art, drama, music, dancing and language schools

(4) Jefferson

(A) Any use permitted in the "Core", provided however, that any commercial or office use may only be located on the ground floor.

(B) No commercial and office permitted use shall begin operating business prior to 6:00 a.m. nor continue later than midnight of any day.

(C) Dwelling units at a density of unit per 1,750 square feet of net lot area.

(5) Hortensia

- (A) Hotels and motels, provided they do not exceed a density of 80 guest rooms per net acre.
- (B) Offices, provided each use establishment does not exceed 4,000 square feet in size.
- (C) Business services customarily catering to hotel and motel guest and office users, provided such accessory uses shall be located in the same complex as the hotel or motel or office and provided the combined gross floor area of all accessory uses shall not exceed 25 percent of the gross floor area of all uses on the premises. These accessory uses may include sales of newspapers and magazines, barber and beauty shops, florists and gift shops, agencies for laundering and dry cleaning, travel and car rental agencies and ticket sales.
- (D) Restaurants (accessory bar and incidental entertainment and dancing permitted).
- (E) Theaters (excluding adult entertainment).
- (F) Cultural centers (including museums and libraries).
- (G) Meeting halls.
- (H) Dwelling units at a density of one unit per 1,750 square feet of net lot area.

(6) Rosecrans

- (A) Any use permitted in the “Core” provided that the ground floor of any one establishment does not exceed 6,000 square feet.
- (B) Any use permitted in the “Hortensia” zone.

(7) Classification of Use

Any other use which the Planning Commission may find, in accordance with Process Four, to be similar in character to the uses, including accessory uses, enumerated in this Section, and consistent with the purpose and intent of the Old Town San Diego Planned District, is permitted. The adopted resolution embodying such finding shall be filed in the Office of the City Clerk.

(b) Uses Not Permitted

The following types of uses are not considered compatible with the development goals of Old Town San Diego and are therefore not permitted:

- (1) Auto parts stores
- (2) Auto repair garages
- (3) Auto sales, new or used
- (4) Auto service stations
- (5) Auto or trailer parks
- (6) Boat sales
- (7) Contractors yards
- (8) Drive in or through facilities
- (9) Factories
- (10) Hospitals
- (11) Printing plants
- (12) Lumber yards
- (13) Machine shops
- (14) Mortuaries
- (15) Warehouses and wholesale distributors

(“Permitted Uses” added 3-27-2007 by O-19586 N.S.; effective 4-26-2007.)

§1516.0302 Property Development Regulations

(a) Lot Area

- (1) No building or portion thereof shall be erected, constructed, established, altered, enlarged, nor shall any premises be used unless the lot has a minimum area of 3,000 square feet. An exception shall be for any lot which qualifies under the definition of a lot as set forth in the Land Development Code Section 113.0103 and which does not

comply with the minimum lot area specified herein may nevertheless be used as permitted and other regulated by the provisions of this Planned District Ordinance.

- (2) The maximum lot area permitted shall be 5,000 square feet. The only subarea excepted from this regulation shall be the Rosecrans subarea.

(b) Floor Area Ratio (FAR) and Lot Coverage

The maximum FAR and lot coverage shall be as indicated in Table 1516-03A.

**Table 1516-03A
FAR and Lot Coverage**

| Subarea | FAR | Coverage |
|------------------------------------------------|------|----------|
| Single Family | 60.0 | -- |
| Multi-family, Hortensia, Jefferson, Core | .60 | 60% |
| Rosecrans ⁽¹⁾ | 1.00 | 60% |

Footnote for Table 1516-03A

- ¹ Enclosed parking may be excluded from the calculation of FAR and coverage in the Rosecrans Subarea.

(c) Maximum Building Size

Except within the Rosecrans Subarea, no single structure, above preexisting natural grade, shall exceed the sizes as indicated in Table 1516-03B.

**Table 1516-03B
Maximum Building Size**

| No. of Stories | Maximum Size |
|----------------|--------------------|
| One | 6,000 square feet |
| Two | 8,000 square feet |
| Three | 10,000 square feet |

(d) Separation Between Buildings

A minimum separation of 6 feet shall be required between the development's exterior building walls, when separate buildings are proposed for any one project. If both buildings are greater than one-story an additional 3-foot separation shall be required.

(e) Maximum Height

The maximum height of any building or structure shall be as indicated in Table 1516-03C below, except that within 150 feet of Taylor Street, building height shall be limited to 24 feet.

Table 1516-03C
Maximum Height

| Subarea | Maximum Height (ft) |
|-----------------------------------|----------------------|
| Single-Family, Multiple-Family | 30 |
| Rosecrans | 45 ⁽¹⁾ |
| Jefferson, Hortensia | 30 ⁽¹⁾⁽²⁾ |
| Core | 24 ⁽¹⁾ |

Footnotes for Table 1516-03C

¹ An additional 6 feet in height is permitted for uninhabitable space necessary for a pitched roof, towers, or other architectural appurtenances, provided however, that the additional area of height does not exceed 10 percent of the total building footprint, measured in plan view.

² No more than 25 percent of the site area, measured in plan view, may be covered by building which exceeds 26 feet in height.

(f) Yard and Setbacks

(1) The minimum yard and setback requirements shall be as indicated in Table 1516-03D.

(2) Street Wall Continuity: Along the minimum setback, paralleling the public right-of-way, 65 percent of this area shall be building wall.

**Table 1516-03D
Yards and Setbacks**

| Subarea | Street ^(1,2) | | Side Yard ⁽³⁾⁽⁴⁾ (ft) | Rear Yard ⁽⁴⁾ (ft) |
|-------------------------|-------------------------|-----------|-------------------------------------|----------------------------------|
| | Front (ft) | Yard (ft) | | |
| Single-Family | 15 | 10 | 4 | 4 |
| Multi-Family | 5 | 15 | 1-story 2-story 3-story 15 | 1-story 2-story 3-story 15 |
| Rosecrans | 15 | 20 | 1-story 2-story 3-story 15 | 1-story 2-story 3-story 15 |
| Jefferson, Hortensia | 10 | 0 | 1-story 2-story 3-story | 1-story 2-story 3-story |
| Core | 0 | 0 | 1-story 2-story 3-story 15 | 1-story 2-story 3-story 15 |

Footnotes for Table 1516-03D

- ¹ Street Yard Defined: The street yard is that area of a lot which lies between the property line abutting a dedicated public street and the street wall line. The street wall line is drawn along the first building wall that parallels the street frontage. The street yard area is calculated by multiplying the street frontage times the linear foot requirement specified herein (see Figure 1).
- ² Additional Corridor Front Yard: From property lines which abut the following streets the following front yard requirement shall prevail:
Taylor - 30 feet.
Juan (between Taylor and Witherby) - 15 feet.
Congress (between the railroad tracks and Old Town Avenue) - 10 feet
Old Town Avenue (between San Diego Avenue and I-5) - 15 feet.
- ³ Side Yard Exemption: For properties 50 feet or less in width the side yard requirement shall be: 1-story -- 3 feet, 2-story -- 6 feet, 3-story - 9 feet.
- ⁴ Parking: In the side and rear yards, parking shall be permitted provided a five-foot-wide landscaped area separation is provided between the property line and the parking area.

(h) Hillsides/bluffs

No building shall be located on an existing grade 30 percent or greater. Hillsides 30 percent or greater in slope shall not be disturbed by construction nor obstructed by building, within 15 feet of the toe of the slope, of more than 20 feet in height (as shown in Figure 2). Development on slopes between 25 and 30 percent may be permitted consistent with Land Development Code Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

("Property Development Regulations" added 3-27-2007 by O-19586 N.S.; effective 4-26-2007.)

§1516.0303 Specific Architectural Controls

In addition to the other regulations contained in the Old Town Planned District, the following specific architectural control regulations shall apply in order to insure the development of the distinctive character and atmosphere of Old Town San Diego prior to 1871.

(a) Architectural Styles/Historic Period

- (1) The accepted architectural styles and historic periods, as specified in the "Standards and Criteria," are pre-1871 Spanish, Mexican and American. Spanish style uses adobe materials and structure with tiled roofs. Mexican style uses adobe bearing walls with tile roofs and shingle roof coverings. American style is wood structure throughout. All new development shall conform to the requirements, as illustrated "Standards and Criteria" of these styles.
- (2) Eclectic designs borrowing from different styles are not acceptable, unless a clear historical precedent in Old Town San Diego can be documented.

(b) Forms, Materials, Textures and Colors

- (1) To assure that each structure in the Planned District shall reflect the appearance of structures built or remodeled during the historic period, forms, materials, textures and colors of structures shall be in general accord with the appearance of structures built in Old Town San Diego prior to 1871. To this end, they shall be in general accord with the designs prevailing during the recognized Old Town San Diego historical periods as described in the "Standards and Criteria."

- (2) Any change to a structures form, material, texture or color shall be reviewed by the City Manager and/or the Board.

(c) Courtyards

On any lot with a street frontage greater than 75 linear feet, a courtyard with a minimum dimension of 20 feet shall be required. Said courtyard may be located in the center of the project and/or between two or more buildings. Entrances to the courtyard from the public right-of-way shall not be less than 10 feet in width and 20 feet in height or open to the sky.

(d) Fences and Walls

- (1) Design. Fences, as defined in Land Development Code Section 113.0103, shall be designed in accordance with the "Standards and Criteria" and must be reviewed by the City Manager. Fence materials shall be wood, adobe, masonry, or forged iron.
- (2) Residential Buffer. A six-foot fence shall be required on any property line abutting a residential property, with the exception of the front and street yards.

(e) Transparency

A minimum percentage (20 percent for residential projects, 40 percent for commercial) of any building wall abutting a dedicated public street, shall be transparent, either by open archways and/or windows of a light transmittance no less than 40 percent.

("Specific Architectural Controls" added 3-27-2007 by O-19586 N.S.; effective 4-26-2007.)